

Appl. No. 09/521,808
Amdt. dated December 5, 2003
Reply to Office action of September 2, 2003

REMARKS/ARGUMENTS

Applicant's undersigned attorney wishes to thank the Examiner for the telephone interview conducted on December 4, 2003, in which the Vilanilam reference was discussed, and during which certain claim amendments were also discussed. No final resolution of the case as made, applicant's attorney agreeing to submit a revised claim proposal to the Examiner.

That proposal is presented in this amendment.

The Examiner's attention also is directed to applicants' web site, www.mongolight.com, where various demonstrations of stress tests and water submersion demonstrations may be viewed.

Claims 1-8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1, 4-6, 9, 10, and 13-15 were rejected under 35 U.S.C. §2(b) as being anticipated by Vilanilam et al. Claims 2, 3, 7, 8, 11, 12, 16, 17 and 27 were rejected under 35 U.S.C. §103(a) as unpatentable over Vilniam et al. The claims as amended are believed to correct the formal deficiencies noted by the Examiner, and to distinguish over the art of record, whether that art is considered singly or in combination. Particularly, the claims now require that the lamp assembly include a housing and a lens where the lens and the housing are constructed from the same material. Vilanilam does not show similar structure and does not give similar results. In particular, Vilanilam at Column 4, line 1, employs a glass jewel 40 which is sealed to the housing 40 by an O-ring 28. As an alternative to the O-ring 28, the glass jewel 40 may be sealed to the housing 12 by plastic welding techniques such as ultrasonic, laser, and hot plate welding. (Vilanilam Column 2, lines 52-54.) As the Examiner has indicated, Vilanilam, at Column 4,

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describes a construction which teaches away and is atypical to the claims present in the case.

Column 4, lines 5-19, states:

"It is noted that the housing 12 includes a bore 74 for communicating with the cavity 18. This bore is used to facilitate the introduction of an encapsulating material which will completely fill all of the open spaces in the chamber defined by the cavity housing 18 and the glass jewel cavity 42. The encapsulating material is preferably an elastomer, such as a silicone elastomer, Sylgard 184. The two-part silicone elastomer, Sylgard 184 from Dow Corning, is preferable for three primary reasons. First, this material is optically clear with a refractive index close to glass. Second, this material has sufficient thermal capability to reduce the surface temperatures of the assembly. Third, this material provides the capacity to absorb the impact tests that are listed in the IEC standards without cracking the glass jewel."

First, the silicone elastomer is not the same material as the glass jewel 40. Applicants' invention does not employ any glass jewel or a silicone elastomer, which could not possibly withstand the kind of impact test that applicants' invention withstands. Again, the Examiner's attention is directed to applicant's web site, www.mongolight.com.

The dependent claims are allowable for at least the same reasons as the independent claims. Claims 25-27 are cancelled to facilitate prosecution of this case.

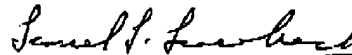
As amended, the claims specifically distinguish over Vilanilam, whether that reference is considered singly or in combination with any of the other art of record.

This amendment was not provided earlier because applicants sincerely believe the claims distinguish over the art of record, and to be inobvious from the art. No further search of the Office records is necessary, and it is believed this amendment places the case in condition for allowance.

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For the reasons that the claims as amended are believed to distinguish over the art of record, whether that art is considered singly or in combination, and because the claims are believed to be in condition for allowance, entrance of the amendment and passage of the claims to issue are respectfully requested.

Respectfully submitted,



Lionel L. Lucchesi, Registration No. 25,891
Polster, Lieder, Woodruff & Lucchesi, L.C.
763 South New Ballas Road, Suite 230
St. Louis, MO 63141
(314) 872-8118

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